

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Home Depot USA, Inc.,

AMENDED

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 07 CV 3502

Chubb Group of Insurance Companies
and Federal Insurance Company

TO: (Name and address of defendant)

Chubb Group of Insurance Companies
15 Mountain View Road
Warren, New Jersey 07059

Federal Insurance Company
c/o NYS Department of Insurance
25 Beaver Street
New York, New York 10004

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Herzfeld & Rubin, P.C.
40 Wall Street
New York, New York 10005
Attn: Jeffrey L. Chase, Esq.

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

DATE

(BY) DEPUTY CLERK

MAY 07 2007

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 0;"> <div style="text-align: center;">Date</div> <div style="text-align: center;">Signature of Server</div> </div> <div style="text-align: center; margin-top: 20px;">Address of Server</div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HOME DEPOT, U.S.A., INC.,

Case No. 07 CV 3502

Plaintiff,

-against-

CHUBB GROUP OF INSURANCE COMPANIES
and FEDERAL INSURANCE COMPANY,

Defendant.
-----X

AFFIDAVIT OF PERSONAL SERVICE

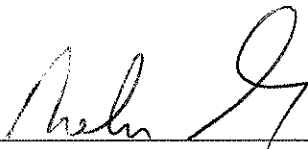
STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

NELSON DIAZ, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age, and reside in Old Bridge, New Jersey; that on May 7, 2007 at 2:00 p.m. I personally served a true copy of the within:

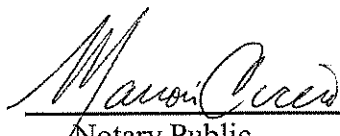
Amended Summons and Amended Complaint

upon Federal Insurance Company, c/o Miss Charlene Norris, a receptionist for New York State Insurance Department at 25 Beaver Street, New York, New York. Ms. Norris is a Black female, weighing approximately 160 lbs, 5'4" tall, 37 years of age with dark hair and glasses.



Nelson Diaz -75842 6

Sworn to before me this
7th day of May, 2007.



Notary Public
MARION CICERO
Notary Public, State of New York
No. 01CI4790506
Qualified in Bronx County
Commission Expires July 31, 2009

STATE OF NEW YORK
INSURANCE DEPARTMENT
One Commerce Plaza
Albany, NY 12257

STATE OF NEW YORK
District Court, Southern District of New York

Home Depot USA, Inc.

07 CV 3502

against

Plaintiff(s)

Federal Insurance Company

Defendant(s)

RE : Federal Insurance Company

Attorney for Plaintiff(s) and Defendant please take notice as follows:

Sirs :

Attorney for Plaintiff(s) is hereby advised of acknowledgement of service upon me of Summons and Complaint in the above entitled action on May 7, 2007 at New York, New York. The \$40 fee is also acknowledged.

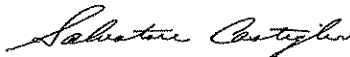
Original to Attorney for Plaintiff(s) :

Herzfeld & Rubin, P.C.
40 Wall Street
New York, New York 10005

Pursuant to the requirement of section 1212 of the Insurance Law, Defendant is hereby notified of service as effected above. A copy of the paper is enclosed.

Duplicate to Defendant :

CT Corporation
Federal Insurance Company
111 Eighth Avenue
13th Floor
New York, New York 10011



by Salvatore Castiglione
Assistant Deputy Superintendent & Chief

Dated Albany, New York, May 09, 2007

412671 C.A.#185002